

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,  
  
Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

**Re: ECF No. 19523**

(Jointly Administered)

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Movants,

-against-

RICOH PUERTO RICO INC., ORLANDO  
SANTIAGO AMADOR, AND FISA SE,

Respondents.

**URGENT CONSENSUAL MOTION FOR EXTENSION OF RESPONSE DEADLINE**

To the Honorable United States District Court Judge Laura Taylor Swain:

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Building Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA” and, collectively with the Commonwealth and ERS, the “Debtors”), pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> respectfully submits this urgent consensual motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadline established in the *Order Scheduling Hearing on Objection to Proposed Cure Amounts* [ECF No. 19523] (the “Scheduling Order”), and states as follows:

### **Request for Relief**

1. On November 21, 2021, the Oversight Board filed the *Second Amended Plan Supplement and Plan Related Documents of the Commonwealth of Puerto Rico, et al.* [Case No. 17-BK-3283-LTS, ECF No. 19326] (the “Second Amended Plan Supplement”).<sup>3</sup> Attached to the Second Amended Plan Supplement as Exhibit E is a schedule of Executory Contracts and Unexpired Leases (the “Schedule”). Pursuant to Section 76.1 of the Plan, the Debtors intend to assume, as of the Effective Date of the Plan, the Executory Contracts and Unexpired Leases listed in the Schedule.

2. On November 23, 2021, the Oversight Board filed the *Notice of Executory Contracts and Unexpired Leases to be Assumed Pursuant to Title III Plan of Adjustment* [Case No. 17-BK-3283-LTS, ECF No. 19353; Case No. 19-BK-05523-LTS, ECF No. 244; Case No. 17-

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<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101-2241.

<sup>3</sup> All capitalized terms used but not otherwise defined herein shall have the meanings given to them in the *Modified Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.*, dated January 14, 2022 [Case No. 17-BK-3283-LTS, ECF No. 19784] (as may be amended, modified, or supplemented, the “Plan”) or the Original Notice (as defined below), as applicable.

BK-03566-LTS, ECF No. 1272] (the “Original Notice”), which provided that the deadline for parties in interest to object to the proposed Cure Costs or the assumption of the Executory Contracts or Unexpired Leases was December 13, 2021, at 5:00 p.m. (prevailing Atlantic Standard Time) (the “Original Objection Deadline”).

3. On December 12, 2021, Ricoh Puerto Rico Inc. (the “First Cure Amount Objector”) filed the *Ricoh Puerto Rico Inc.’s Motion Objecting Docket No. 19353 and Informing Cure Amounts for Executory Contracts or Unexpired Leases to be Assumed Pursuant to Title III Plan of Adjustment* [ECF No. 19498] (the “First Cure Amount Objection”).

4. On December 13, 2021, Orlando Santiago Amador (the “Second Cure Amount Objector”) filed the *Motion Objecting Docket No. 19353 and Informing Cure Amounts for Executory Contracts or Unexpired Leases to be Assumed with Servicentro Ciales, Inc. Pursuant to Title III Plan Of Adjustment* [ECF No. 19501] (the “Second Cure Amount Objection”), and FISA SE (the “Third Cure Amount Objector,” and, together with the First Cure Amount Objector and the Second Cure Amount Objector, the “Cure Amount Objectors”) filed the *Objection to Cure Amount* [ECF No. 19505] (the “Third Cure Amount Objection,” and, together with the First Cure Amount Objection and Second Cure Amount Objection, the “Cure Amount Objections”).<sup>4</sup>

5. On December 15, 2021, the Court entered the Scheduling Order, which set the date of a hearing for the Court to consider the Cure Amount Objections (the “Hearing”) for the February

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<sup>4</sup> On December 21, 2021, the Oversight Board also filed the *Supplemental Notice Regarding Limited Extension of Time to Object to Executory Contracts and Unexpired Leases to be Assumed Pursuant to Title III Plan of Adjustment* (the “Supplemental Notice”) [ECF No. 19585], to extend the Original Objection Deadline solely for certain counterparties to the Executory Contracts and Unexpired Leases listed on the schedule attached thereto as Exhibit A to January 10, 2022, at 5:00 p.m. (Atlantic Standard Time) (the “Extended Objection Deadline”). No objections were filed by the Extended Objection Deadline with respect to such Executory Contracts and Unexpired Leases.

2, 2022 omnibus hearing and the deadline for replies to the Cure Amount Objections (the “Reply Deadline”), if any, for January 19, 2022, at 5:00 p.m. (Atlantic Standard Time).

6. The Oversight Board is in the process of investigating and evaluating the claims as set forth in the Cure Amount Objections to seek a consensual resolution, if possible. This process, however, is ongoing, as the intervening holidays have affected the availability of the Commonwealth and its agencies to provide necessary information and input. Accordingly, the Oversight Board respectfully requests an extension of the Reply Deadline from January 19, 2022 to **January 26, 2022 at 5:00 p.m. (Atlantic Standard Time)**. The Cure Amount Objectors have consented to this request.

7. Pursuant to Paragraph 1.H of the *Fifteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 17127-1] (the “Case Management Procedures”), the Oversight Board hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and the Cure Amount Objectors consent to the relief requested herein.

#### **Notice**

8. The Oversight Board has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors’ bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight

Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;<sup>5</sup> (i) all parties filing a notice of appearance in these Title III cases; and (j) the Cure Amount Objectors. A copy of the motion is also available at <https://cases.primeclerk.com/puertorico/>.

9. The Oversight Board submits that, in light of the nature of the relief requested, no other or further notice need be given.

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<sup>5</sup> The “Other Interested Parties” include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

**WHEREFORE**, the Oversight Board requests the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: January 18, 2022  
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian S. Rosen

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Debtors*

**Exhibit A**

**Proposed Order**

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,  
  
Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

**Re: ECF No. 19523**

(Jointly Administered)

**ORDER GRANTING  
URGENT CONSENSUAL MOTION FOR EXTENSION OF RESPONSE DEADLINE**

Upon the *Urgent Consensual Motion for Extension of Response Deadline* (ECF No. [    ], the “Extension Motion”);<sup>2</sup> and the Court having found that the relief requested in the Extension Motion is in the best interests of the Oversight Board and the Cure Amount Objectors; and the Court having found that the Oversight Board provided adequate and appropriate notice of the Extension Motion under the circumstances and that no other or further notice is required; and the Court having reviewed the Extension Motion; and the Court having determined that the factual bases set forth in the Extension Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Building Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings given to them in the Extension Motion.



1. The Extension Motion is granted as set forth herein.
2. Replies to the Cure Amount Objections, if any, must be filed by **January 26, 2022, at 5:00 p.m. (Atlantic Standard Time)**.
3. The Cure Amount Objections will be heard at the February 2, 2022 omnibus hearing.
4. This Order resolves Docket Entry No. [ ] in Case No. 17-13283.

SO ORDERED.

Dated: [ ], 2022

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LAURA TAYLOR SWAIN  
United States District Judge